

## § 63.105

(iv) If the leak remains unrepaired, the owner or operator shall report the expected date of repair.

(v) If the leak is repaired, the owner or operator shall report the date the leak was successfully repaired.

[62 FR 2733, Jan. 17, 1997]

### § 63.105 Maintenance wastewater requirements.

(a) Each owner or operator of a source subject to this subpart shall comply with the requirements of paragraphs (b) through (e) of this section for maintenance wastewaters containing those organic HAP's listed in table 9 of subpart G of this part.

(b) The owner or operator shall prepare a description of maintenance procedures for management of wastewaters generated from the emptying and purging of equipment in the process during temporary shutdowns for inspections, maintenance, and repair (i.e., a maintenance-turn-around) and during periods which are not shutdowns (i.e., routine maintenance). The descriptions shall:

(1) Specify the process equipment or maintenance tasks that are anticipated to create wastewater during maintenance activities.

(2) Specify the procedures that will be followed to properly manage the wastewater and control organic HAP emissions to the atmosphere; and

(3) Specify the procedures to be followed when clearing materials from process equipment.

(c) The owner or operator shall modify and update the information required by paragraph (b) of this section as needed following each maintenance procedure based on the actions taken and the wastewaters generated in the preceding maintenance procedure.

(d) The owner or operator shall incorporate the procedures described in paragraphs (b) and (c) of this section as part of the startup, shutdown, and malfunction plan required under § 63.6(e)(3).

(e) The owner or operator shall maintain a record of the information required by paragraphs (b) and (c) of this section as part of the start-up, shutdown, and malfunction plan required

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under § 63.6(e)(3) of subpart A of this part.

[59 FR 19454, Apr. 22, 1994, as amended at 60 FR 63626, Dec. 12, 1995; 71 FR 20456, Apr. 20, 2006]

### § 63.106 Implementation and enforcement.

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to requirements in §§ 63.100, 63.102, and 63.104. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in § 63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under § 63.8(f), as defined in § 63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f), as defined in § 63.90, and as required in this subpart.

[68 FR 37344, June 23, 2003]

### § 63.107 Identification of process vents subject to this subpart.

(a) The owner or operator shall use the criteria specified in this § 63.107 to